

California Association of Health and Education Linked Professions  
Joint Powers Authority (CAHELP JPA)  
**DESERT/MOUNTAIN SELPA STEERING and FINANCE COMMITTEE MEETING**  
*September 23, 2022 – 9:00 a.m.*  
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

---

## MINUTES

---

### **D/M SELPA MEMBERS PRESENT:**

Academy for Academic Excellence – Marcelo Congo, Samantha Gonzalez, Adelanto SD – Michael Baird, Apple Valley USD – David Wheeler, Baker Valley USD – Cecil Edwards, Barstow USD - Julie Carter, Heather Reid, Bear Valley USD – Lucinda Newton, Excelsior Charter Schools – Amber Englehart, Marie Silva, Health Sciences High School and Middle College – Kristen Kosaka, Helendale SD – Mike Esposito, Hesperia USD – Teri McCollum, Elaine Nelson, Lucerne Valley SD – Vici Miller, Needles USD – Jamie Wiesner, Oro Grande SD – Scott Heitman, Snowline JUSD – Pam DeRenard, Trona JUSD – Nicole Yeager, Victor Elementary SD – Melanie Arroyo, Tanya Benitez, and Victor Valley UHSD – Rama Bassham.

### **GUEST:**

Christina Leal – Options for Youth, Jennifer Alvarado, Lorena Gutierrez – San Bernardino County Superintendent of Schools.

### **CAHELP, SELPA, and DMCC STAFF PRESENT:**

Jamie Adkins, Pam Bender, Guille Burgos, Heidi Chavez, Craig Cleveland, Tara Deavitt, Adrien Faamausili, Marina Gallegos, Renee Garcia, Colette Garland, Angela Mgbeke, Lisa Nash, Sheila Parisian, Vianca Padilla, Ana Perez, Karina Quezada, Jennifer Rountree, Veronica Rousseau, Adrienne Shepherd-Myles, Jessica Soto, Pamela Striglers, Jennifer Sutton, and Athena Vernon.

## **1.0 CALL TO ORDER**

The regular meeting of the California Association of Health and Education Linked Professions Joint Powers Authority (CAHELP JPA) Desert/Mountain SELPA Steering and Finance Committee Meeting was called to order by Chairperson Pam Bender, at 9:00 a.m., at the Desert/Mountain Educational Service Center, Apple Valley.

## **2.0 ROLL CALL**

## **3.0 PUBLIC PARTICIPATION**

None.

## **4.0 ADOPTION OF THE AGENDA**

4.1 **BE IT RESOLVED** that a motion was made by Mike Esposito, seconded by Michael Baird, to approve the September 23, 2022 Desert/Mountain SELPA Steering and Finance Committee Meeting Agenda as presented. The motion carried on the following vote 17:0: Ayes: Baird, Bassham, Benitez, Congo, DeRenard, Edwards, Esposito, Heitman, Kosaka, Miller, Nelson, Newton, Reid, Silva, Wheeler, Wiesner, and Yeager. Nays: None, Abstentions: None.

California Association of Health and Education Linked Professions  
Joint Powers Authority (CAHELP JPA)  
**DESERT/MOUNTAIN SELPA STEERING and FINANCE COMMITTEE MEETING**  
*September 23, 2022 – 9:00 a.m.*  
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

## **MINUTES**

---

### **5.0 PRESENTATIONS**

#### 5.1 SBCSS D/M Operations Final 2021-22 Local Control Funding Formula (LCFF) Revenue Transfer

Jennifer Alvarado presented the SBCSS D/M Operations Fiscal Year 2021-22 LCFF Revenue Transfer information.

#### 5.2 SBCSS D/M Operations 2021-22 Fee-For-Service Year-End Actuals

Jennifer Alvarado presented the SBCSS D/M Operations Fiscal Year 2021-22 Fee-For-Service Year-End Actuals.

#### 5.3 SBCSS D/M Operations 2021-22 Fee-for-Service Return

Jennifer Alvarado presented the SBCSS D/M Operations 2021-22 Fee-For-Service Return information.

### **6.0 INFORMATION/ACTION**

#### 6.1 Assembly Bill 361 Exemptions to Brown Act Virtual Meeting Requirements

Assembly Bill (AB) 361 requires local agencies to consider the circumstances of the state of emergency and make the following findings by a majority vote: 1) the state of emergency continues to directly impact the ability of the members to meet safely in person; or 2) state or local officials continue to impose or recommend measures to promote social distancing.

6.1.1 **BE IT RESOLVED** that a motion was made by Marie Silva, seconded by David Wheeler, to approve Assembly Bill 361 Exemptions to Brown Act Virtual Meeting Requirements as presented. The motion carried on the following vote 17:0: Ayes: Baird, Bassham, Benitez, Congo, DeRenard, Edwards, Esposito, Heitman, Kosaka, Miller, Nelson, Newton, Reid, Silva, Wheeler, Wiesner, and Yeager. Nays: None, Abstentions: None.

#### 6.2 Form D/M 85 SBCSS Desert/Mountain Operations Referral (**ACTION**)

Forms used in the operations of special education programs within the Desert/Mountain SELPA are developed, reviewed and revised throughout the year upon the recommendation of the Program Team. Forms are modified as necessary in order to support the operations of special education programs in an efficient, effective and legally compliant manner. Suggested revisions to SELPA Forms are submitted to the D/M SELPA Steering Committee for consideration and approval.

6.2.1 **BE IT RESOLVED** that a motion was made by Mike Esposito, seconded by David Wheeler, to approve the Form D/M 85 SBCSS Desert/Mountain Operations Referral as presented. The motion carried on the following vote 17:0: Ayes: Baird, Bassham,

California Association of Health and Education Linked Professions  
Joint Powers Authority (CAHELP JPA)  
**DESERT/MOUNTAIN SELPA STEERING and FINANCE COMMITTEE MEETING**  
*September 23, 2022 – 9:00 a.m.*  
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

## **MINUTES**

---

Benitez, Congo, DeRenard, Edwards, Esposito, Heitman, Kosaka, Miller, Nelson, Newton, Reid, Silva, Wheeler, Wiesner, and Yeager. Nays: None, Abstentions: None.

6.3 Form D/M 173 Referral to SBCSS Desert/Mountain Operations for Related Services Provider  
**(ACTION)**

Forms used in the operations of special education programs within the Desert/Mountain SELPA are developed, reviewed and revised throughout the year upon the recommendation of the Program Team. Forms are modified as necessary in order to support the operations of special education programs in an efficient, effective and legally compliant manner. Suggested revisions to SELPA Forms are submitted to the D/M SELPA Steering Committee for consideration and approval.

6.3.1 **BE IT RESOLVED** that a motion was made by Mike Esposito, seconded by Marie Silva, to retire Form D/M 173 Referral to SBCSS Desert/Mountain Operations for Related Services Provider as presented. The motion carried on the following vote 17:0: Ayes: Baird, Bassham, Benitez, Congo, DeRenard, Edwards, Esposito, Heitman, Kosaka, Miller, Nelson, Newton, Reid, Silva, Wheeler, Wiesner, and Yeager. Nays: None, Abstentions: None.

## **7.0 CONSENT ITEMS**

It is recommended that the Steering and Finance Committee consider approving several Agenda items as a Consent list. Consent Items are routine in nature and can be enacted in one motion without further discussion. Consent items may be called up by any Committee Member at the meeting for clarification, discussion, or change.

7.1 **BE IT RESOLVED** that a motion was made by David Wheeler, seconded by Tanya Benitez, to approve the following Consent Item as presented. The motion carried on the following vote 17:0: Ayes: Baird, Bassham, Benitez, Congo, DeRenard, Edwards, Esposito, Heitman, Kosaka, Miller, Nelson, Newton, Reid, Silva, Wheeler, Wiesner, and Yeager. Nays: None, Abstentions: None.

7.1.1 Approve the August 26, 2022 Desert/Mountain SELPA Steering and Finance Committee Meeting Minutes.

## **8.0 CHIEF EXECUTIVE OFFICER AND STAFF REPORTS**

8.1 Legislative Updates from State SELPA Administrators

Pam Bender provided legislative updates from State SELPA Administrators Meeting by highlighting the bills listed below:

California Association of Health and Education Linked Professions  
Joint Powers Authority (CAHELP JPA)  
**DESERT/MOUNTAIN SELPA STEERING and FINANCE COMMITTEE MEETING**  
*September 23, 2022 – 9:00 a.m.*  
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

## **MINUTES**

---

Following:

- Senate Bill (SB) 1113 – Special Education: Inclusive Education: Universal Design for Learning – On the Governor’s Desk,
- Assembly Bill (AB) 2121 – School Accountability: California Collaborative for Educational Excellence: Special Education - Dead, did not meet the deadline,
- SB 291 – Advisory Commission on Special Education - On the way to the Governor’s Desk
- SB 866 – Minors: Vaccine Consent - Dead, did not meet the deadline,
- SB 1229 – Mental Health Workforce Grant Program - Dead, did not meet the deadline,
- SB 237 – Special Education: Dyslexia Risk Screening - Dead, did not meet the deadline. It is likely to be brought back next year.

Other Bills to Note:

- AB 152 COVID-19 Relief: Supplemental Paid Sick Leave – On the Governor’s Desk,
- SB 692 – Special Education: Pupils with Disabilities: Least Restrictive Environment - On the Governor’s Desk,
- AB 181 - Education Finance: Education Omnibus Budget Trailer Bill – Signed by the Governor,
- AB 182 - COVID-19 Emergency Response: Learning Recovery Emergency Fund: Appropriation - Signed by the Governor,
- SB 1016 – Special Education – Eligibility of Fetal Alcohol Syndrome under OHI – Headed to the Governor’s Desk.

### 8.2 Small LEAs and Special Education Monitoring

Pam Bender provided information regarding small LEA monitoring. She reported that moving forward, every district and charter with less than 100 students with disabilities will be monitored by CDE. A three-year cycle begins this year with 1/3 of the State’s small LEAs being selected for this year, another 1/3 in 2023-24, and the remaining 1/3 in 2024-25. Pam stated CDE will be using Special Education Self-Review (SESR) to review at least ten student files for educational benefit and 25 student files for policy and procedure. The reviews are due to CDE by December 5, 2022 with CDE deciding by spring if there are any corrective actions are needed. Pam stated D/M SELPA will help support the LEAs through the process.

### 8.3 Assembly Bill 2449 Open Meetings: Local Agencies: Teleconferences (Brown Act)

Pam Bender provided information pertaining to Assembly Bill 2449 Open Meetings: Local Agencies: Teleconferences (Brown Act). Beginning January 1, 2023 meetings are to be held in-person. Pam said there are two provisions for a committee member to attend remotely if they cannot attend in-person: “emergency circumstance” or “just cause”. An emergency circumstance would be a physical or family medical emergency that prevents the member from attending in person. Pam reported the committee must take action to approve the request. Another requirement is that quorum must be present in-person. She continued that participants must have audio and

California Association of Health and Education Linked Professions  
Joint Powers Authority (CAHELP JPA)  
**DESERT/MOUNTAIN SELPA STEERING and FINANCE COMMITTEE MEETING**  
*September 23, 2022 – 9:00 a.m.*  
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

## **MINUTES**

---

visual presence so if a member of the public joins, they can see and hear all participants. Pam stated just cause is defined as childcare or caregiving need, contagious illness, physical or mental disability not otherwise accommodated by an existing process, or official agency business such as a conference or training. She explained there are limits to the number of times a committee member can participate virtually such as no more than three consecutive months, or 20% of meetings in a fiscal year. Pam reassured the participants that there will be more discussion closer to the implementation date.

### 8.4 Interim Placement Procedures

Pam Bender called on Sheila Parisian to present an updated draft of Interim Placement Procedures. Sheila shared the Interim Placement Procedure document stating it includes more detailed directives due to continued questions about the interim placement process. The document also includes timelines for when students enter the LEAs. Sheila said when an LEA enrolls a student and is not able to obtain special education records, it is important to conduct assessments as soon as possible and to document the attempts made to obtain the records. She said to make a thorough and comprehensive IEP based on the informal data that is available. Sheila encouraged committee members to contact their assigned program specialist with any additional questions.

### 8.5 Desert/Mountain Children's Center Client Services Reports and Updates

Guille Burgos presented the Desert/Mountain Children's Center Client Services monthly reports and updates. She requested to be contacted with any questions regarding the reports or with changes.

### 8.6 Desert/Mountain Children's Center Mental Health Research Report

Guille Burgos shared the Desert/Mountain Children's Center Mental Health Research Report. She added that over 200,000 children lost one parent or an in-home caregiver due to the pandemic which is approximately 1 out of 360 children. This means that children are living with trauma, anxiety, grief, and depression and it is important to identify those children and provide them with supports. Guille reminded the attendees that phone number 988 is an active suicide prevention phone number and replaced the national suicide hotline.

### 8.7 Professional Learning Summary and Update

Heidi Chavez presented the D/M SELPA's Professional Learning Summary and update. Heidi reported 905 participants in July and August 2022 in D/M SELPA and close to 300 participants of Charter SELPA LEAs. Heidi is available for brainstorming to meet the needs of the LEAs.

Community Advisory Committee (CAC) meeting was held on 9/22/2022 with a great presentation. Heidi said more representatives are needed as it is an obligation and requirement of D/M SELPA membership. Heidi reported the next CAC meeting is scheduled for November 17, 2022 and will

California Association of Health and Education Linked Professions  
Joint Powers Authority (CAHELP JPA)  
**DESERT/MOUNTAIN SELPA STEERING and FINANCE COMMITTEE MEETING**  
*September 23, 2022 – 9:00 a.m.*  
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

## MINUTES

---

be hosted at Hesperia School District with a presentation by the district police department on social media awareness. The following meeting is scheduled for February 23, 2023 and will be hosted at Apple Valley School District. Heidi said the final CAC meeting of the year is scheduled for April 20, 2023 at DMESC.

Heidi continued there will be a Directors' Training on October 21, 2022 regarding special education finance. February 24, 2023 and April 21, 2023 are the dates for the other two trainings for the school year. Heidi said the presenter will be remote but committee members are encouraged to participate in-person as there will be topical conversation.

Heidi reported the I-MTSS Symposium is scheduled for March 8, 2023 as a full day in-person event. The topic will be LGBTQ+ student mental health. The location has not yet been determined.

Heidi concluded there will be a virtual Section 504 Compliance for Educators training by Atkinson, Andelson, Loya, Ruud & Romo (AALRR) on November 2, 2022, 9:00 a.m-10:30 am.

### 8.8 Resolution Support Services Summary and Update

Lisa Nash presented the D/M Charter SELPA's Resolution Support Services Summary stating there have been five parent-initiated filings, two LEA only filings against the parent to implement, and one cross-filing of a parent filing. Lisa shared there is one case pending from the previous school year.

### 8.9 Case Law Review

Sheila Parisian provided case law review citing a case in which a parent disagreed with a child's IEP. Sheila said when this occurs, it is important to ask the parent what they do agree with then have them sign the IEP with exception. This action will allow the supports the parent does agree with to be implemented and then use the alternative dispute resolution (ADR) process, facilitated IEPs, and other interventions to move forward. Sheila continued that in Office of Administrative Hearings (OAH) Case 2022040227, the parent provided a "consent with exceptions" letter that stated the parents has various questions, concerns, and requests regarding the student's program. When the parents filed with OAH they alleged the district failed to provide prior written notice in response to the consent with exceptions communication and denial of free appropriate public education (FAPE). The district did not believe they had to respond. Sheila reported though the district was not required to make the changes or agree with the parents, the district was required to provide prior written notice (PWN) to address the parents' concerns and requests. Sheila said the OAH judge the parents' opportunities were impeded to make evidence-based decisions. This finding required the district to pay for a private assessor's time to attend the IEP meeting.

### 8.10 Compliance Update

California Association of Health and Education Linked Professions  
Joint Powers Authority (CAHELP JPA)  
**DESERT/MOUNTAIN SELPA STEERING and FINANCE COMMITTEE MEETING**  
*September 23, 2022 – 9:00 a.m.*  
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

## **MINUTES**

---

Colette Garland presented an update on compliance items from the California Department of Education (CDE). She reported there are 922 overdue annuals and triennials within D/M SELPA membership. Colette continued that LEAs in Significant Disproportionality must have their plans submitted by November 1, 2022 and must be signed by Pam Bender. LEAs in targeted, intensive, and disproportionality must continue to work on their activities and keep with the implemented timelines.

Colette thanked everyone for their hard work in getting the CalPads End of Year 3 and 4 certifications done by deadline. She reported that Web IEP has been slow in its performance so another server has been initiated for the charter members. Additional LEAs of Baker Valley USD, Health Sciences HS, Helendale SD, Lucerne Valley USD, and Trona JUSD will be added to the new server with the new link being provided via email. Colette said it is important for work to be saved before switching to the new server.

Colette concluded that the MIS meeting is scheduled on September 28, 2022, 9:00 a.m-3:00 p.m with a remote attendance option.

### 8.11 Nonpublic School/Nonpublic Agency Update

Colette Garland reported there is no nonpublic school/nonpublic agency update at this time.

### 8.12 Prevention and Intervention Update

Pamela Strigglers presented the Prevention and Intervention update. She reported the PBIS Recognition Event is scheduled for October 20, 2022, 5:00p.m-7:00p.m, with 29 schools recognized for their PBIS implementation. Pamela also highlighted a regional training on bullying prevention scheduled for October 27, 8:30am-12:00pm with trainer Angela Mgbeke.

### 8.13 Community Outreach Update

Jessica Soto provided the Community Outreach update. She introduced her team members and explained the Community Outreach team is a bridge to the community in providing additional resources to the families. She asked to be contacted with questions or needs for community outreach.

## **9.0 FINANCE COMMITTEE REPORTS**

### 9.1 One-Time Learning Recovery Support and Dispute Prevention/Resolution Funding

Marina Gallegos presented updated information about one-time Learning Recovery Support and Dispute Prevention/Resolution Funding. She said there is more than \$61,000 of Dispute Prevention/Resolution Funding unclaimed and almost \$650,000 of One-Time Learning Recovery Support unclaimed. Marina reiterated the funds are a reimbursement for claims submitted. The

## **MINUTES**

---

purpose of the funding is to mitigate the impact of school disruptions due to COVID-19 during the period of March 13, 2020 through September 1, 2021 and can be claimed as prior year expenditures. Marina reviewed the process of claiming the funding. She said many LEAs have local contributions which are essentially encroachments from the general fund. If activities can be identified as activities covered by the plans can qualify. Marina encouraged the directors to work with fiscal staff to utilize the funds or the funds will be returned to CDE. She has emailed a file to fiscal staff regarding how to access the funding and shared it with the directors as well. Marina instructed the activities reports are to be submitted to Heidi Chavez or Kathleen Peters, depending on which funds are being used. She continued that in reviewing Maintenance of Effort for the LEAs, many have substantial local contribution to the special education fund which means the general fund is being used for special education expenses. There could be a way to access the one-time funding without effecting MOE if it has been included in the 2023 budget. Marina continued there is a workbook that has been emailed to the finance staff that includes the major components of claiming the reimbursements for the funds. Marina continued there is a workbook that has been emailed to the finance staff that includes the major components of claiming the reimbursements for the funds.

### 9.2 Projected Mental Health Funding

Marina Gallegos provided information regarding projected mental health funding. Marina said the figures are a very rough projection of how funding could be disbursed to LEAs as it has been proposed in legislature.

Pam Bender added if the funding change does occur, new Memorandums of Understanding (MOU) will be developed.

## **10.0 INFORMATION ITEMS**

- 10.1 Monthly Audiological Services Reports
- 10.2 Monthly Occupational & Physical Therapy Services Reports
- 10.3 Monthly Nonpublic School Placement Report
- 10.4 Upcoming Professional Learning Opportunities

## **11.0 STEERING COMMITTEE MEMBERS COMMENTS / REPORTS**

David Wheeler asked if the Apple Valley County Education Center (AVCEC) moving to a hybrid model with the students being remote some days and being on campus other days could that cause denial of FAPE. Pam replied there have been significant behavioral issues at the campus and the hybrid model is an attempt to reduce those issues. The changes have been done through the IEP process with the incorporation of vocational component as well. If parents did not agree to the hybrid model, it was not

California Association of Health and Education Linked Professions  
Joint Powers Authority (CAHELP JPA)  
**DESERT/MOUNTAIN SELPA STEERING and FINANCE COMMITTEE MEETING**  
*September 23, 2022 – 9:00 a.m.*  
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

## **MINUTES**

---

forced. Pam said there has been a significant reduction and it is a stop gap as DMCC works to get more hands-on programs in place for the students.

### **12.0 CEO COMMENTS**

Pam Bender stressed the importance of self-care, especially during the busy times. She reported that starting next school year, the plan is to transition to Special Education Information System (SEIS) with the final decision being made by CAHELP JPA Governance Council at the October 2022 meeting. If the change is approved, training will begin almost immediately starting with appropriate CAHELP staff.

### **13.0 MATTERS BROUGHT BY THE PUBLIC**

None.

### **14.0 ADJOURNMENT**

Having no further business to discuss, a motion was made by David Wheeler, seconded by Mike Esposito, to adjourn the meeting at 10:19 a.m. The motion carried on the following vote 17:0: Ayes: Baird, Bassham, Benitez, Congo, DeRenard, Edwards, Esposito, Heitman, Kosaka, Miller, Nelson, Newton, Reid, Silva, Wheeler, Wiesner, and Yeager. Nays: None, Abstentions: None.

The next regular meeting of the Desert/Mountain SELPA Steering and Finance Committee will be held on Friday, October 21, 2022, at 9:00 a.m., at the Desert Mountain Educational Service Center, Aster/Cactus Room, 17800 Highway 18, Apple Valley, CA 92307.

*Individuals requiring special accommodations for disabilities are requested to contact Jamie Adkins at (760) 955-3555, at least seven days prior to the date of this meeting.*